



# CITY OF LODI

## COUNCIL COMMUNICATION

AGENDA TITLE: Communications (August 8, 1991 through August 13, 1991)

MEETING DATE: August 21, 1991

PREPARED BY: Cfty Clerk

### RECOMMENDED ACTION:

#### AGENDA ITEM

#### RECOMMENDATION

J-2b

Discussion and appropriate action.

#### BACKGROUND INFORMATION:

From Jogi Khanna, M.D., San Joaquin County Health Services, Stockton, California. Dr. Khanna, Health Officer. San Joaquin **County** Public Health Services requests that the City Council pass a resolution that opposes SB 376. According to Dr. Khanna SB 376 will decrease the effectiveness of existing tobacco use prevention legislation and ordinances.

FUNDING: None required.

*Alice M. Reimche*  
Alice M. Reimche  
City Clerk

APPROVED. \_\_\_\_\_

THOMAS A. PETERSON



# PUBLIC HEALTH SERVICES

AUG 06 '91

SAN JOAQUIN COUNTY

JOGI KHANNA M.D., M.P.H.

Health Officer

P.O. Box 2009 • (1601 East Hazelton Avenue) • Stockton, California 95201

(209) 468-3400



August 6, 1991

Thomas Peterson  
City Manager  
City of Lodi  
221 W. Pine  
Lodi, CA 95240

Dear **Mr.** Peterson:

I request that your City Council **pass** a resolution that opposes the proposed legislation, SB 376, and inform the State Legislature regarding this resolution. Under the guise of a "Tobacco Control Act" the proposed **SB 376** will decrease the effectiveness of existing tobacco **use** prevention legislations **and** ordinances.

A recent report of the ~~United States~~ Surgeon General supported by current medical research, indicates that tobacco use is the number one preventable **cause** of disease and death in the United States population. **SB 376** is in complete contradiction to these findings, and actually increases **minors'** **access to** tobacco products and promotes the use of tobacco.

This bill is opposed by the League of California Cities and pro-health organizations including **the California Medical Association**, American Cancer Society, American ~~Heart~~ Association and American Lung Association.

The major issues in **SB 376** that warrant your opposition to this Bill **are** that it:

1. preempts all local ordinances that relates to tobacco after July 1, 1991, taking away local **control** and local decision making processes. An estimated 60 local ordinances will be preempted.
2. repeals sections of the California Health and Safety, and Penal Codes that regulate tobacco sales or free distribution of tobacco, sale of tobacco to minors and smoking in health care facilities.
3. severely reduces the restrictions on sale of tobacco to minors and increases their access to tobacco products.
4. penalizes minors for purchasing tobacco rather than vendors of tobacco products.

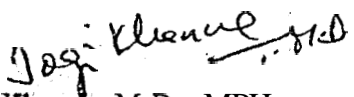


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5. does not have any enforcement components to the regulatory activities included in the Bill nor does it give local government any authority for funding the enforcement activities.
6. undermines the national goals of having a smoke-free environment by year 2000. A similar goal was also voted by the citizens of California in Proposition 99.

I recommend that your City send a forceful message to the California Legislature opposing SB 376. If you need further information or assistance, please contact Ramakrishna Ram, Director of Health Education, San Joaquin County Public Health Services, at 468-3415.

Sincerely,

  
Jogi Khanna, M.D., MPH  
Health Officer

JK:sp

RESOLUTION NO. 91-156

A RESOLUTION OF THE LODI CITY COUNCIL  
IN OPPOSITION TO PROPOSED SENATE BILL 376  
RELATING TO THE USE OF TOBACCO

WHEREAS, SB 376 preempts local ordinances adopted after July 1, 1991, taking away local control and local decision-making processes; and

WHEREAS, SB 376 repeals certain sections of the California Health and Safety Code and Penal Code that regulate tobacco sales or free distribution of tobacco, sale of tobacco to minors and smoking in health care facilities; and

WHEREAS, SB 376 severely reduces the restrictions on sale of tobacco to minors and increases their access to tobacco products- and

WHEREAS, SB 376 penalizes minors for purchasing tobacco rather than vendors of tobacco products; and

WHEREAS, SB 376 does not have any enforcement components to the regulatory activities included in the bill nor does it give local government any authority for funding the enforcement activities; and

WHEREAS, SB 376 undermines the national goals of having a smoke-free environment by year 2000. A similar goal was also voted by the citizens of California in Proposition 99;

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council, by this resolution, expresses its opposition to proposed Senate Bill 376.

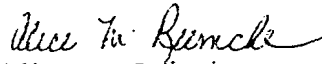
Dated: August 21, 1991

I hereby certify that Resolution No. 91-156 was passed and adopted by the Lodi City Council in a regular meeting held August 21, 1991 by the following vote:

Ayes : Council Members - Pennino, Pinkerton, Sieglock, Snider  
and Hinchman (Mayor)

Noes : Council Members - None

kbsent: Council Members - None

  
Alice M. Reimche  
City Clerk

91-156

CITY COUNCIL

DAVID M. HINCHMAN, Mayor  
JAMES W. PINKERTON, Jr.  
Mayor Pro Tempore  
PHILLIP A. PENNINO  
JACK A. SIEGLOCK  
JOHN R. (Randy) SNIDER

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 334-5634  
FAX (209) 333-6795

THOMAS A. PETERSON  
City Manager  
ALICE M. REIMCHE  
City Clerk  
BOB McNATT  
City Attorney

August 23, 1991

Dr. Jogi Khanna  
Health Officer  
San Joaquin County  
P.O. Box 2009  
Stockton, CA 95201

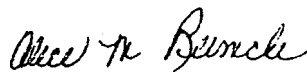
Dear Dr. Khanna:

Enclosed please find a certified copy of Resolution No. 91-156 entitled, "A Resolution of the Lodi City Council in Opposition to Proposed Senate Bill 376 Relating to the Use of Tobacco" which was adopted by the Lodi City Council at its meeting of August 21, 1991.

Our legislators have been notified of the City's opposition to SB 376.

Should you have any questions regarding this matter please do not hesitate to call.

Very truly yours,

  
Alice M. Reimche  
City Clerk

AMR/jmp

Enclosure